

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2141 of 2020**

- Ku. Prarthna Kesharwani D/o Shri Pramod Gupta Aged About 21 Years R/o W.No. 39 Jai Hanuman Marg, Near State Bank Main Branch Ambikapur, P.S. Ambikapur District-Surguja, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : The Station House Officer, Police Station Ambikapur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Soumitra Kesharwani, on behalf of Mr. Awadh Tripathi, Adv.
For Respondent/State	: Mr. Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****18/05/2020**

1. Heard on admission.
2. Admit.
3. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 772/2019 registered at Police Station-Ambikapur, District - Surguja (C.G.) for the offence punishable under Sections 509 (B) of the IPC and 66 (C), 66 (D) of I.T. Act.
4. The prosecution story, in brief is that, the present applicant was running I.D. 17arhurafatURL (<https://instagram.com/17arshurafatigshidlkbxwjlum52w5>) of instagram and she has shared the private photograph of the complainant and with the bed intension comments on her status so the complainant has lodged a report. During

investigation it has been pointed out that the applicant is working as a teacher in a private school and she has used an aforesaid I.D. and on dated 18.04.2019 she has shared a private photograph of complainant and also comments on the aforesaid photographs of the complainant. Based on this, offence has been registered against the present applicant.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that the applicant is in jail since 14.03.2020, there is no likelihood of her case being decided in near future, therefore, the present applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application.
7. I have heard learned counsel for the parties and perused the case diary.
8. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicant and further considering the facts that the offence is triable by Judicial Magistrate First Class. The applicant is in jail since 14.03.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
9. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/- with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court.

Sd/-
(Rajani Dubey)
Judge